

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDWARD TAVARES, JR.,)
PETITIONER,)
)
v.)
)
STEVEN O'BRIEN,)
RESPONDENT.)
_____)

CIVIL ACTION
NO. 04-40059-FDS

**RESPONDENT'S SUPPLEMENTAL APPENDIX TO MOTION TO ORDER
PETITIONER TO AMEND PETITION TO INCLUDE ONLY EXHAUSTED CLAIMS**

The respondent files the following documents as his supplemental appendix to his Motion to Order Petitioner to Amend Petition to Include Only Exhausted Claims.

1. Docket Sheets, *Commonwealth v. Edward Tavares*, Bristol County No. 12806;
2. Docket Sheets, *Commonwealth v. Edward Tavares*, Bristol County No. 12805;
3. Docket Sheets, *Commonwealth v. Edward Tavares*, Bristol County No. 13504;
4. Docket Sheets, *Commonwealth v. Edward Tavares*, Massachusetts Appeals Court No. 2001-P-540;
5. Memorandum and Order (unpublished), *Commonwealth v. Edward Tavares*, 57 Mass. App. Ct. 1111, 784 N.E.2d 50 (2003);
6. Petitioner's Application for Leave for Further Appellate Review, *Commonwealth v. Edward Tavares*, FAR No. 13310;
7. Order Denying Further Appellate Review, *Commonwealth v. Edward Tavares*, 439 Mass. 1105, 787 N.E.2d 1059 (2003); and
8. Docket Sheets, *Edward Tavares v. Steven O'Brien*, U.S.D.C. No. 04-40059-FDS.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Daniel I. Smulow
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Dated: November 10, 2004

Certificate of Service

I hereby certify that a true copy of the above document was served on Edward Tavares, *pro se*, N.C.C.I. - Gardner, P.O. Box 466, 500 Colony Road, Gardner, MA 01440, by first class mail, postage prepaid, on November 10, 2004.

/s/ Daniel I. Smulow